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Docket No. GZ 2094.00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Charles A. Nicolette	Assignee:	Genzyme Corp.
Filing Date:	March 19, 2001	Examiner:	Not Yet Assigned
Serial No.:	09/922,405	Group Art Unit:	1614
Title:	THERAPEUTIC ANTI-MELANOMA COMPOUNDS		

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## RESPONSE TO NOTICE TO COMPLY

U.S. Patent & Trademark Office  
Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This Response is submitted in reply to the Notice to Comply with Sequence Requirements issued by the U.S. Patent and Trademark Office on March 12, 2002, in connection with the above-identified application. A response to this Notice is due two months from the date of issuance, i.e., on or before May 12, 2002. Applicant requests a one month extension of time thereby making the date to respond June 12, 2002. Accordingly, this Response is timely filed.

The March 12, 2002 Notice, copy attached, indicated that the diskette filed in reply to the original Notice to Comply was unreadable and requested Applicant to submit a new diskette. Enclosed herewith is a replacement diskette having recorded thereon the information submitted with the paper copy, also enclosed herewith. The undersigned hereby states that the copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825(b), is the same as the paper copy.

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this

document to **Deposit Account No. 50-1189**, billing reference number **19442-7213**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date: May 14, 2002

By: Antoinette F. Konski  
Antoinette F. Konski  
Reg. No. 34,202

McCutchen, Doyle, Brown & Enersen  
Three Embarcadero Center, Suite 1800  
San Francisco, CA 94111  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/812,238	03/19/2001	Charles A. Nicolette	GZ 2094.00

Antoinette F. Konski  
Baker & McKenzie  
660 Hansen Way  
Palo Alto, CA 94304



CONFIRMATION NO. 9444

## FORMALITIES LETTER



\*OC00000007618618\*

Date Mailed: 03/12/2002

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- o The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- ▣ For Rules Interpretation, call (703) 308-4216
- ▣ To Purchase PatentIn Software, call (703) 306-2600
- ▣ For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



\$ 300

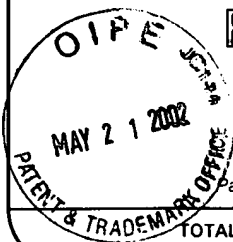
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after filing)  Total number of Pages in this submission      12	Application Number	09/812,238
	Filing Date	March 19, 2001
	First Named Inventor	Charles A. Nicolette
	Group Art Unit	1614
	Examiner Name	Not Yet Assigned
	Attorney Docket No.	GZ 2094.00

U.S. Patent & Trademark Office  
Box Sequence  
P.O. Box 2327  
Arlington, VA 22202

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> FEE TRANSMITTAL FORM (IN DUPL.) <input type="checkbox"/> FEE ATTACHED	<input type="checkbox"/> ASSIGNMENT PAPERS (FOR AN APPLICATION)	<input type="checkbox"/> AFTER ALLOWANCE COMMUNICATION TO GROUP
<input type="checkbox"/> AMENDMENT/RESPONSE <input type="checkbox"/> AFTER FINAL <input type="checkbox"/> AFFIDAVITS' DECLARATION(S)	<input type="checkbox"/> DRAWING(S)	<input type="checkbox"/> APPEAL COMMUNICATION TO BOARD OF APPEALS AND INTERFERENCES
<input checked="" type="checkbox"/> EXTENSION OF TIME	<input type="checkbox"/> LICENSING-RELATED PAPERS	<input type="checkbox"/> APPEAL COMMUNICATION TO GROUP (APPEAL NOTICE, BRIEF, REPLY BRIEF)
<input type="checkbox"/> EXPRESS ABANDONMENT REQUEST	<input type="checkbox"/> PETITION ROUTING SLIP (PTO/SB/60) AND ACCOMPANYING PETITION)	<input type="checkbox"/> PROPRIETARY INFORMATION
<input type="checkbox"/> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT W/1449	<input type="checkbox"/> TO CONVERT A PROVISIONAL APPLICATION	<input type="checkbox"/> STATUS LETTER
<input type="checkbox"/> CERTIFIED COPY OF PRIORITY DOCUMENT(S)	<input type="checkbox"/> POWER OF ATTORNEY, REVOCATION CHANGE OF CORRESPONDENCE ADDRESS	<input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW):
<input type="checkbox"/> RESPONSE TO MISSING PARTS/ INCOMPLETE APPLICATION <input type="checkbox"/> RESPONSE TO MISSING PARTS UNDER 37 CFR 1.52 OR 1.53 COPY OF PTO-1533	<input type="checkbox"/> TERMINAL DISCLAIMER	RESPONSE TO NOTICE TO COMPLY, PAPER SEQUENCE LISTING (8 PGS), COPY OF NOTICE TO COMPLY DATED 3/12/2002, COMPUTER READABLE DISKETTE CONTAINING SEQUENCE LISTING AND RETURN POSTCARD
<input type="checkbox"/> ISSUE FEE TRANSMITTAL	<input type="checkbox"/> SMALL ENTITY STATEMENT <input type="checkbox"/> REQUEST FOR REFUND	
REMARKS:		
McCUTCHEN, DOYLE, BROWN & ENERSEN LLP THREE EMBARCADERO CENTER, SUITE 1800 SAN FRANCISCO, CA 94111 TELEPHONE: (650) 849-4950 FACSIMILE: (650) 849-4800		DATE: MAY 14, 2002  BY: ANTOINETTE F. KONSKI (REG. NO. 34,202)
<b>CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"</b> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent & Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on this date: May 14, 2002.  By: Name of person signing: Mary R. Zimmerman		

# FEE TRANSMITTAL FOR FY 2002



Patent fees are subject to annual revision.

## Complete if Known

Application Number	09/812,238
Filing Date	March 19, 2001
First Named Inventor	Charles A. NICOLETTE
Examiner Name	Not Yet Assigned
Group Art Unit	1614
Attorney Docket No.	GZ 2094.00

TOTAL AMOUNT OF PAYMENT

(\$)**110.00**

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

50-1189

Deposit  
Account  
Name

McCutchen Doyle Brown & Enersen LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$)**0**

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
- 20** =	*	x	= \$
Independent Claims - 3** =	*	x	= \$
Multiple Dependent			= \$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)**0**

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110.00
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	330	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)**110.00**

## SUBMITTED BY

Name (Print/Type)

Antoinette F. Konski

Registration No.  
(Attorney/Agent)

34,202

Complete (if applicable)

Telephone

(650) 849-4950

Signature

Date

May 14, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.